

Docket No.: RCA-88878 (T2000-0002-P001)
Ser. No. 09/603,339
Nonfinal Office Action dated: July 31, 2006
Response dated: NOV 30 2006

Remarks

Claims 1-6, 9-17, 19 and 20 are pending in the application. The Nonfinal Office Action mailed July 31, 2006 has been received and carefully considered.

Applicant thanks the Examiner for the telephonic interview conducted on September 14, 2006. Although no agreement was reached at that time, Applicant appreciates the Examiner's assistance in clarifying the points at issue.

Claims 1-6, 9-11, 14-17 and 19-20 stand rejected under 35 U.S.C. §102(e) over US patent number 6,580,870 to Kanazawa et al. (*hereinafter* Kanazawa). Applicant respectfully traverses the rejections.

As discussed in previous responses the present application relates to a system and method for transmitting, decoding and displaying data channel information in a format that permits enhanced graphics functionality. Included, are a method and apparatus for using DVD sub-picture formatted information within an MPEG data stream to provide data channel information to a receiver.

Claim 1 recites:

A method for providing graphics display, comprising the steps of:
receiving a bitstream including an MPEG compliant program bitstream and a DVD subpicture compliant bitstream...wherein the DVD subpicture compliant bitstream comprises an interactive graphic having selectable regions that, when

selected, causes the display of other DVD subpicture graphics associated with said subpicture compliant bitstream. Emphasis added.

The Kanazawa reference relates to "a system for reproducing AV information, [such as] a reproducing system having an external access function that acquires related information connected with the reproduced stream information from resources on a computer network," (emphasis added). Column 1, lines 8-12. Kanazawa describes "a reproducing system which reproduces AV information from a storage medium, such as a DVD, and which is capable of not only reproducing normal titles but also easily acquiring related information connected with specific stream information from resources on a computer network," (emphasis added). Column 1, line 56-61. Kanazawa further describes "a system which enables DVD video titles to be combined with the Internet ... where DVD video titles are combined with hypermedia contents, such as HTML files, provided on the Internet," (emphasis added). Column 2, lines 2-7.

Applicant thanks the Examiner for his attention to the arguments offered in the Submission of June 12, 2006. Applicant's representative has carefully reviewed the entire Kanazawa reference, with particular attention to the cited portions and respectfully submits that Kanazawa does not anticipate the claimed invention, or render it obvious. This is true for at least three reasons: first, the Web mark of Kanazawa does not teach or suggest a "DVD subpicture compliant bitstream [comprising] an interactive graphic" as recited in claim 1; second, the HTML files of Kanazawa do not teach or suggest a "DVD subpicture compliant bitstream [comprising] an interactive graphic" as recited in claim 1; and third the HTML files of Kanazawa do not teach or suggest "other DVD subpicture graphics associated with said subpicture compliant bitstream," as

recited in claim 1.

The Web mark of Kanazawa does not teach or suggest a "DVD subpicture compliant bitstream [comprising] an interactive graphic" as recited in claim 1.

According to Kanazawa, "[a]t the beginning of playback, the CPU 1 reads the information management table... from the DVD 40 and loads it into the main memory (RAM)." Column 6, lines 43-45. "On the basis of the information management table 40b, the CPU 1 checks each stream unit to see if the WEB display related information has been added." Column 6, lines 53-56. "When the Web display related information has been included in the information management table...[i]f there is no time information the CPU 11 will display a Web mark... on the screen of the display section." Column 6, lines 61-67.

There is nothing to suggest that the "Web mark" of Kanazawa is related to an interactive graphic as claimed. In particular, Kanazawa does not teach or suggest a "DVD subpicture compliant bitstream...wherein the DVD subpicture compliant bitstream comprises an interactive graphic having selectable regions." Kanazawa says only that CPU 11 will display a Web mark. Every illustration of a Web mark 90 in Kanazawa (at figures 10 a, 10 b, 10 c, 11 a, 13 b and 19 a) shows a generic rectangle including the word "WEB". There is nothing in the specification to suggest where this device originates, and certainly nothing to teach that it is an interactive graphic included in a DVD subpicture compliant bitstream, the contrary suggestion of the Office Action at page 3, lines 12-14 notwithstanding.

As to the Patent Office concern, raised in the telephone interview of September 14, in relation to Kanazawa's second embodiment, (column 9, line 7- column 10, line 51), the specification makes reference (at column 9, line 10) to figure 9 which includes step S 70 "PRESS WEB KEY." This does not teach or suggest a DVD subpicture encoded interactive graphic.

Even if, *arguendo*, "PRESS WEB KEY" were interpreted as selection of a "Web mark," Kanazawa does not teach or suggest every feature of the claimed invention. As fully discussed above, the "Web mark" of Kanazawa does not teach or suggest a DVD subpicture compliant bitstream including an interactive graphic as claimed.

Further, figure 9 shows that the "Web key" is present and acted upon at step S 70 prior to step S 74 at which connection is made with an NT resource, which is in turn prior to acquisition of resource information at step S 76 and display of the resource "WEB PAGE" at step S 77. Accordingly, Kanazawa does not teach or suggest a "DVD subpicture compliant bitstream [that] comprises an interactive graphic having selectable regions that, when selected, causes the display of other DVD subpicture graphics associated with said subpicture compliant bitstream," since connection with the NT resource is made at step S 74 after pressing of the Web Key at step S 70.

The HTML file of Kanazawa does not teach or suggest a "DVD subpicture compliant bitstream [comprising] an interactive graphic," as recited in claim 1.

As to the Patent Office concern, raised in the telephone interview of September 14 in relation to Kanazawa's third embodiment, column 10, line 53-column 19 line 3, this

portion of the reference also does not teach or suggest every feature of claim 1. For example, although Kanazawa refers to a DVD medium including "an HTML file for interlocking display with a DVD video," (column 11, lines 5-7), this HTML file is "used as an initial screen to explain, for example, the contents of the DVD video title," (emphasis added) (column 11, lines 8- 9). As to other HTML files, Kanazawa goes on to state that:

The WWW browser 117 is a WWW client for communicating with an outside WWW server using the HTTP protocol. Receiving an HTML file from an outside WWW server via the communication unit 100, the WWW browser 117 displays it on a screen using a VGA controller 113.

Emphasis added. Column 11, lines 42-46.

The DVD medium of Kanazawa includes an HTML file for an initial screen and receives an HTML file from an outside WWW server. In figure 16, the outside WWW server is clearly shown externally coupled to the ISDN card or modem 100. Accordingly, the DVD medium initial screen and the HTML file from the outside server come from different sources. Therefore, Kanazawa does not teach or suggest the claimed features of a "DVD subpicture compliant bitstream [that] comprises an interactive graphic having selectable regions that, when selected, causes the display of other DVD subpicture graphics associated with said subpicture compliant bitstream."

The HTML files of Kanazawa do not teach or suggest "other DVD subpicture graphics associated with said subpicture compliant bitstream," as recited in claim 1.

With regard to the assertion in the Office Action that the " other DVD subpicture graphics associated with said subpicture compliant bitstream " of claim 1 is taught or suggested that the disk- resident HTML file of Kanazawa applicant respectfully submits that Kanazawa figure 18 teaches directly away from that conclusion.

The Kanazawa HTML files are not other DVD subpicture graphics associated with said subpicture compliant bitstream. There is nothing in Kanazawa to suggest the encoding of the HTM file which, as one of skill in the art will appreciate, is encoded in hypertext markup language (HTML) should be further encoded as a graphic employing DVD subpicture encoding. To the contrary, figure 18 clearly shows that subpicture encoded material is stored within a video object cell, where as HTM file material is stored in a completely different region of the volume space. The difference between the storage of HTML encoded and subpicture encoded data is further illuminated by the corresponding text of the Kanazawa specification:

As shown in FIG. 18, the volume space of a DVD-ROM medium is composed of a volume film [*sic*] structure for managing volumes and files, a DVD video zone constituting DVD video information, and an area for files other than DVD video. In the other files area, HTML files, such as the initial screen file, have been stored.

The DVD video zone is composed of a video manager (VMG) and more than one DVD video title set (VTS#1 to VTS#n) ...Each video title set (VTS) is composed of ...a video object set (VOBS) constituting a title, and a backup video title set information (VTSI). ... The video object set (VOBS) ... includes a large

number of video objects called cells (cell #1, cell #2, . . .).... In each cell, a video pack (V), a sub-picture pack (S), and an audio pack (A) are recorded in multiplex form. The video pack (V), sub-picture pack (S), and audio pack (A) are data units of coded video, sub-picture, and audio, respectively. Although the data size of each pack is fixed, the number of packs included in one cell is variable. Therefore, the more violent scene a cell corresponds to, the more video packs the cell includes.

In the above format, the VMGI, VTSI, PGCI, PCI, and DSI constitute navigation data. The video pack, sub-picture pack, and audio pack for each menu and title constitute presentation data.

Emphasis added. Column 12, line 39-column 13, line 65.

Accordingly, Kanazawa does not teach or suggest every feature recited in claim 1. Consequently, the rejection of claim 1 under 35 USC §102 (b) over Kanazawa should be withdrawn.

Claims 2-6 and 9 each depend, directly or indirectly, from claim 1 and incorporate every feature thereof. Accordingly, for at least the reasons given above in relation to claim 1, the rejections of claims 2-6 and 9 under 35 U.S.C. §102(e) over Kanazawa should be withdrawn and allowance of these claims is in order.

Claim 10 recites the features of:

... means for receiving a bitstream comprising a MPEG compliant bitstream and a

DVD subpicture compliant bitstream;... wherein the DVD subpicture compliant bitstream comprises an interactive graphic having selectable regions that, when selected, causes the display of other DVD subpicture graphics associated with said subpicture compliant bitstream. Emphasis added.

As discussed above in relation to claim 1, Kanazawa does not teach or suggest a “DVD subpicture compliant bitstream [that] comprises an interactive graphic having selectable regions that, when selected, causes the display of other DVD subpicture graphics associated with said subpicture compliant bitstream,” as recited in claim 10. As such, the rejection of claim 10 under 35 USC §102(e) over Kanazawa should be withdrawn.

Claims 11 and 14-17 ultimately depend from, and incorporate the features of, claim 10. Accordingly, for the reasons given above in relation to claim 10, the rejections of claims 11 and 14-17 under 35 USC §102(e) should also be withdrawn.

Claims 19 and 20 include the pertinent features of claim 1. Consequently, claims 19 and 20 are believed to also be allowable for at least the reasons provided above in relation to claim 1. Accordingly, the rejection of claims 19 and 20 under 35 USC §102(e) over Kanazawa is requested to be withdrawn.

Claim 12 stands rejected under 35 U.S.C. §103(a) over Kanazawa in view of U.S. Patent Number 6,211,800, to Yanagihara et al. (*hereinafter* Yanagihara), and Claim 13 stands rejected over Kanazawa in view of U.S. Patent Number 6,344,836, to Suzuki (*hereinafter* Suzuki).

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Claims 12 and 13 each depend indirectly from claim 10. Accordingly, each of claims 12 and 13 incorporate every feature of claim 10. As demonstrated above, the Kanazawa reference does not teach every feature of claim 10, and nothing in Yanagihara or Suzuki, whether taken alone or in combination with any other reference of record, serves to remedy this defect. Consequently, for at least the reasons given above in relation to claim 10, the rejections of claims 12 and 13 under 35 USC §103(a) over Kanazawa in view of Yanagihara and Suzuki respectively should be withdrawn.

Having fully addressed the pending rejections it is believed that this application stands in condition for allowance. Accordingly then, reconsideration and allowance are earnestly solicited.

This submission is accompanied by a Petition for Extension of Time that is intended to ensure that the present submission is received during the pendency of the subject application. Nevertheless, the Commissioner is hereby petitioned, under 37 C.F.R. § 1.136 (a), to further extend the time for filing a response to an outstanding Office Action, or any communication filed in this application by this firm, by the number of months which will avoid abandonment under 37 C.F.R. § 1.135.

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If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (617) 868-8871 in Cambridge, Massachusetts. The Commissioner is hereby also authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 50-3950 of Bergman & Song LLP, under order number T2000-0002-P002.

Dated:

NOV 30 2006

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